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OFFICE OF PETITIONS

In re Application of :
Mitsugi Chonan :
Application No. 10/825690 :
Filing or 371(c) Date: 04/16/2004 :
Attorney Docket Number: :
032405R172 : ON PETITION

This is a decision on the "Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a)," filed November 20, 2007.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed March 23, 2007. The Office action set a three (3) month period for reply. Extensions of time were available under 37 CFR 1.136(a). No response having been received, the application became abandoned June 23, 2007. A Notice of Abandonment was mailed October 23, 2007.

Applicant's Assertion

Applicant files the instant petition and asserts that a timely reply to the Office action was filed on June 19, 2007, and received by this Office as evidenced by the copy of Applicant's return-receipt postcards. In support of this assertion, Applicant files a copy of the Reply and a copy of his return-receipt postcards acknowledging receipt by this Office of, *inter alia*, an Amendment and Extra Claims fee of \$400.00 on June 19, 2007.

"A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all items listed thereon by the PTO." MPEP § 503.

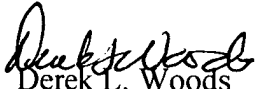
Office records also reveal that the Extra Claims fee of \$400.00 was received by this Office on June 19, 2007.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 3682 for processing of the Amendment, and for continued examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


Derek L. Woods
Attorney
Office of Petitions